RTD

SERVING NORTH CENTRAL NEW MEXICO

North Central Regional Transit District (NCRTD)
Resolution 2009-08

OPEN MEETINGS ACT AMENDED

WHEREAS: Section 10-15-B, NMSA 1978 Provides that "All meetings of a quorum of members of any board, commission or other policy-making body of any state agency, or any agency or authority of any county, municipality, district or any political subdivision held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of such board, commission or other policy-making body, are declared to be public meetings open to the public at all times, except as otherwise provided in the constitution or the provision of the 'Open Meetings Act'"; and,

WHEREAS: Section 10-15-3-A, NMSA 1978 Provides that "No resolution, rule, regulation, ordinance or action of any board, commission, committee or other policy-making body shall be valid unless taken or made at a meeting held in accordance with the requirements of Section 10-15-1 NMSA 1978"; and,

WHEREAS: Section 10-15-4, NMSA 1978 Provides that "Any person violating any of the provisions of Section 10-15-1 NMSA 1978 is guilty of a misdemeanor and upon conviction shall be punished by a fine of not more that five hundred dollars ($500) for each offense."

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the NCRTD, that:

1. Notice shall be given at least 72 hours in advance of any regular meeting of a quorum of the members of the governing body and the Agenda will be posted within twenty four hours (24); and at least one (1) day in advance of any Board, committee, or other policy-making body held for the purpose of discussing public business or taking any formal action within the authority of such body.

2. The regularly scheduled meetings of the governing body will be held at 9:00 a.m. on the 1st Friday of each month at the location of one of our members, designated one month in advance by the NCRTD Board and legally published. In the event that the regular meeting date falls on a legal holiday, the governing body shall designate an alternate meeting date and /or time at the regular meeting prior to the holiday and shall cause advance notice of the changed meeting date and /or time to be published as provided in this Resolution. In the event that a regular meeting of the governing body is changed to a different location, advance notice of the meeting location shall be posted as provided in this Resolution. The following are the projected dates of the regular meetings for the Calendar 2009.

January 9, 2009	February 6, 2009	March 6, 2009
April 3, 2009	May 1, 2009	June 5, 2009
July 10, 2009	August 7, 2009	September 4, 2009
October 2, 2009	November 6, 2009	December 4, 2009

3. Notice shall be given at least 24 hours in advance of any special meeting of a quorum of the members of the governing body, Board, committee, or other policy-making body held for the purpose of discussing public business or taking any formal action within the authority of such body. All meetings of the NCRTD Board and Committees of the NCRTD Board shall be conducted pursuant to general parliamentary procedure.

4. The notice requirements of Sections 1, 2 and 4 of this Resolution are compiled with notice of the date, time, place and subject matter of any regular or special meeting. "Giving of notice" shall mean posting of the resolution on the "notice board" located at the NCRTD Administration Offices at all times. The Resolution shall also be made available in the office of the NCRTD Secretary who shall maintain the posting for public inspection within the time limits specified.

5. Notwithstanding any other provisions of Sections 1 through 5 of this Resolution, the governing authority may establish such additional notice requirements as may be deemed proper and advisable to comply with the provisions of the Open Meetings Act.

6. A meeting or portion thereof may be closed in accordance with provisions contained in Section 10-15-1, Subsection H, NMSA 1978 of the Open Meetings Act.

7. Notwithstanding any other provision of sections 1 through 6 of this Resolution, the governing authority of the NCRTD may call, with whatever notice is possible under the circumstances, a meeting of the governing body, any board, commission, committee or other policy-making body of the District to consider or act on any emergency matter which appears to be clear and immediate danger to the health, welfare or safety of the inhabitants of the District encompassed by the NCRTD.

8. As the District encompasses a large geographical area with board and committee membership spread over this large region, its membership may participate in a meeting by means of a conference telephone or other similar communications equipment when it is otherwise difficult or impossible for the member to attend the meeting in person, provided that each member participating by conference telephone can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any member of the public body who speaks during the meeting.

PASSED, APPROVED AND ADOPTED this 5th day of June 2009.

Alfred Herrera, Chairman

Approved as to form:

Mark Basham, Counsel